

SENATE CONCURRENT RESOLUTION 100—REGARDING AMERICAN VICTIMS OF TERRORISM

Mr. LOTT (for Mr. SPECTER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 100

Whereas the traditional policy of the United States, reiterated by this Administration, has been to vigorously pursue and apprehend terrorists who have killed American citizens in other countries;

Whereas numerous American citizens have been killed by Palestinian terrorists, most of them in Israel or the Israeli administered territories, including 9 since the signing of the Oslo Accords in 1993, namely Nachshon Wachsmann (New York), Alisa Flatow (New Jersey), Sara Duker (New Jersey), Matthew Eisenfeld (Connecticut), Joan Davenny (Connecticut), David Boim (New York), Yaron Ungar (New York), Leah Stern (New Jersey), and Yael Botwin (California);

Whereas at least 20 of the terrorists suspected in the killings of American citizens in Israel or the Israeli administered territories during 1993-1997 have been identified by Israel as Mohammed Dief, Nabil Sharihi, Nafez Sabih, Imjad Hinawi, Abd al-Maid Dudin, Adel Awadallah, Ibrahim Ghneimat, and Mahmoud Abu Hanudeh, Abd al-Rahman Ghanelmat, Jamal al-Hur, Raid Abu Hamadayah, Mohammad Abu Wardah, Hassan Salamah, Abd Rabu Shaykh'I'd, Hamdallah Tzramah, Abd Al-Nasser Atallah Issa, Hataham Ibrahim Ismail, Jihad Mohammad Shaker Yamur, and Mohammad Abbasm;

Whereas, according to the Israeli Government, 10 of those 20 terrorist suspects are currently believed to be free men;

Whereas the Anti-Terrorism Act of 1986 permits the prosecution, in the United States, of individuals who murder American citizens abroad; and

Whereas the United States has previously acted to bring to justice those responsible for the deaths of American citizens and has established a precedent of United States intervention by demanding that Libyan leader Moammar Qaddafi transfer to the United States the Libyan terrorists suspected of bombing Pan Am flight 103: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That it is the sense of the Congress that—

(1) the United States should demand the prosecution of all suspected perpetrators of these attacks against the United States citizens;

(2) the United States should seek the cooperation of the Palestinian Authority and all other appropriate authorities in the prosecution of these cases; and

(3) the suspects should be tried in the United States unless it is determined that such action is contrary to effective prosecution.

• Mr. SPECTER. Mr. President, this measure expresses the sense of the Congress regarding the murder of U.S. citizens by Palestinian terrorists. This resolution addresses specific concerns that I have regarding the failure of the Palestinian Authority to apprehend and bring to justice perpetrators of terrorist acts involving American citizens who have been killed in recent months and years in terrorist attacks in Israel. A companion resolution, introduced by Congressman JON FOX, passed the House by a vote of 406-0 on May 5, 1998.

Since the signing of the Oslo Accords in 1993, at least nine American citizens in Israel have been killed by Palestinian terrorists. They are our parents, our children, and our citizens. The traditional policy of our nation has been to pursue and apprehend any terrorists who have killed American citizens abroad. This in no way contravenes or conflicts with either international or constitutional law. While criminal jurisdiction is customarily limited to the place where the crime occurred, it is well established constitutional doctrine that Congress has the power to apply U.S. law extra territorially if it so chooses. *United States versus Bowman*, 260 U.S. 94, 98 (1922). It was on the basis of this doctrine that I spearheaded efforts to enact the Anti-Terrorism Act of 1986, which extended the reach of U.S. criminal jurisdiction to acts of violence perpetrated against Americans anywhere in the world. But, making murder committed by terrorists a U.S. crime will not, on its own, protect Americans abroad. We must also demonstrate our seriousness by applying the law regularly and consistently.

At the heart of the Anti-Terrorism Act was the fundamental notion that international terrorists are criminals and ought to be treated as such—they should be promptly located, apprehended, and brought to trial for their heinous crimes. The United States government in conjunction with the government of Israel knows the location of 10 of the 20 terrorists suspected in the murders of these United States citizens. I am aware that from March 6-10, an interagency task force comprised of individuals from the Department of State, Justice Department, FBI and National Security Commission was in Israel in the Palestinian controlled areas to investigate the deaths of these Americans. Cooperation from the Palestinian Authority is critical as investigative authorities attempt to discover and develop evidence for prosecution. However, the Palestinian Authority has failed to cooperate and has not honored requests for the transfer of many of these suspects.

The Anti-Terrorism Act of 1986 provides the necessary subject matter jurisdiction to prosecute those who attack U.S. citizens abroad. But, to obtain personal jurisdiction over the culprits themselves, the suspect must first be seized or arrested and brought to the United States to stand trial. Under current constitutional doctrine, both U.S. citizens and foreign nationals can be seized and brought to stand trial in the United States without violating due process of law. *Frisbie versus Collins*, 342 U.S. 519, 522 (1952).

My resolution calls for the United States to demand the prosecution of all suspected perpetrators of these attacks against United States citizens by seeking the cooperation of the Palestinian Authority and all other appropriate authorities in the prosecution of these cases. In addition, my resolution calls

for these suspects to be tried in the United States unless it is determined that such action is contrary to effective prosecution.

We must utilize all our laws properly and remain persistent in seeking justice for these American families. We must remain vigilant in our search for all suspected perpetrators of these atrocious attacks against U.S. citizens. I urge my colleagues to support this measure and to help push for justice in this important matter.●

SENATE RESOLUTION 240—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO DEMOCRACY AND HUMAN RIGHTS IN THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

Mr. THOMAS (for himself, Mr. GRAMS, and Mr. SMITH of Oregon) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 240

Whereas in 1975, the Pathet Lao party supplanted the existing Lao government and the Lao Royal Family, and established a "people's democratic republic," in violation of the 1962 Declaration on the Neutrality of Laos and it's Protocol, as well as the 1973 Vientiane Agreement on Laos;

Whereas since the 1975 overthrow of the existing Lao government, Laos has been under the sole control of the Lao People's Democratic Party;

Whereas the present Lao Constitution provides for human rights protection for the Lao people, the Laos is a signatory to international agreements on civil and political rights; and

Whereas Laos has become a member of the Association of Southeast Asian Nations, which calls for the creation of open societies in each of its member states by the year 2020;

Whereas despite that, the State Department's "Country Reports on Human Rights Practices for 1997" notes that the government has only slowly eased restrictions on basic freedoms and begun codification of implementing legislation for rights stipulated in the Lao Constitution, and continues to significantly restrict the freedoms of speech, assembly and religion; and

Whereas on January 30, 1998, the Lao government arrested and detained forty-four individuals at a Bible study meeting in Vientiane and on March 25 sentenced thirteen Christians from the group to prison terms of three to five years for "creating division among the people, undermining the government, and accepting foreign funds to promote religion;" Now therefore, be it

Resolved by the Senate, That it is the sense of the Senate that the present government of Laos should—

(1) respect international norms of human rights and democratic freedoms for the Lao people, and fully honor its commitments to those norms and freedoms as embodied in its constitution and international agreements, and in the 1962 Declaration on the Neutrality of Laos and it's Protocol and the 1973 Vientiane Agreement on Laos;

(2) issue a public statement specifically reaffirming its commitment to protecting religious freedom;

(3) fully institute a process of democracy, human rights and openly-contested free and fair elections in Laos, and ensure specifically the National Assembly elections—currently scheduled for 2002—are openly contested.

Mr. THOMAS. Mr. President, today as the Chairman of the Subcommittee on East Asian and Pacific Affairs I submit S. Res. 240, a resolution expressing the sense of the Senate with respect to democracy and human rights in Laos.

In 1975, the Pathet Lao party supplanted the legitimate Lao government and the Lao Royal Family, and established a "people's democratic republic," in violation of the 1962 Declaration on the Neutrality of Laos and its Protocol, as well as the 1973 Vientiane Agreement on Laos. Since that time, Laos has been under the sole control of the communist Lao People's Democratic Party.

Although the present Lao Constitution provides for human rights protection for the Lao people, is a signatory to international agreements on civil and political rights, and has become a member of the Association of Southeast Asian Nations—which calls for the creation of open societies in each of its member states by the year 2020—the State Department's "Country Reports on Human Rights Practices for 1997" notes that the government has only slowly eased restrictions on basic freedoms and begun codification of implementing legislation for rights stipulated in the Lao Constitution, and continues to significantly restrict the freedoms of the press, speech, and assembly.

Mr. President, would-be opposition political leaders in Laos continue to be jailed in horrible conditions solely because they espouse democratic ideals. While Laos recently conducted the country's most open elections since 1975, that is not to say that the elections came close to meeting even the minimal norms for what we would consider free and fair; Laos is still a one-party state and all of the candidates for election were vetted by the party. And the Hmong and Yao ethnic minorities continue to face discrimination and, in some cases, persecution.

In addition, on January 30 of this year, a group of 44 people, including five foreigners, were arrested at a Bible study meeting in Vientiane. Charged with creating divisions among the people, undermining the government and accepting foreign funds to promote religion, a Laotian court sentenced 13 Christians from the group to prison on March 25. Eight were sentenced to three-year prison terms, including five Lao affiliated with Partners in Progress (PIP), a U.S.-based evangelical humanitarian aid organization. Lao authorities had prevented the prisoners from meeting with their families until the sentencing.

Last month the Lao Foreign Ministry accused the group of making negative comments about the government and interfering in the internal affairs of the country by insulting the reputation of Lao leaders. A foreign ministry spokesman added that the three Americans, all PIP workers, had taken advantage of their non-governmental organization status to "promote the worship of Christ" to Lao nationals.

Mr. President, Laos doesn't receive a lot of attention from the outside. It is a land-locked, impoverished country of just slightly over five million people, where only three percent of the land is arable. Subsistence farming accounts for more than half of the GDP, and provides more than eighty percent of total employment. It has few roads, no railroads, and electricity in only a few scattered urban areas. Needless to say, it is of little strategic or economic interest to the rest of the world.

But Mr. President, that does not mean that we can or should turn a blind eye to the human rights situation in that country. We need to urge Laos to respect international norms of human rights and democratic freedoms for the Lao people, and fully honor its commitments to those norms and freedoms as embodied in its constitution and international agreements. The resolution calls on the Lao government to issue a public statement specifically reaffirming its commitment to protecting religious freedom, and to fully institute a process of democracy, human rights and openly-contested free and fair elections in Laos, and ensure specifically that the National Assembly elections—currently scheduled for 2002—are openly contested. I hope they get the message.

Mr. President, before I close I would like to thank my good friend from Minnesota, Mr. GRAMS, for cosponsoring—indeed, for inspiring—this resolution. Senator GRAMS has significant Lao and Hmong populations in his state, and has been active in getting their message heard in Congress; I've attended several meetings, including one with members of the Lao royal family, which he sponsored. I would also like to thank my friend the Senator from Oregon, Mr. SMITH, for his cosponsorship; there is a large Hmong population in Portland, and I know Senator SMITH has followed events in Laos closely.

Mr. GRAMS. Mr. President, I am pleased to join Senator THOMAS as cosponsor of S. Res. 240, a resolution which hopefully will focus more Congressional attention on the situation in Laos. With 50,000 Hmong and 7,000 other ethnic Lao living in Minnesota, I am well aware that the atrocities being committed in that country and the lack of progress toward a democratic government are far more serious than press reports would lead us to believe. It is rare indeed that any of us, even those of us who serve on the Senate Foreign Relations Committee, ever hear anything about Laos. Yet many Lao and Hmong fought with us in the Vietnam War. In fact, they are still being "punished" for their loyalty to the United States through continued violence against them by the Lao government. But, the State Department recently responded to an inquiry I made by saying they do not see evidence of abuses.

We owe the Hmong and other Lao a great debt of gratitude for their service during the Vietnam War. We owe them

our renewed efforts to end the violence in Laos and to enforce the agreements signed by Communists in Laos in 1962 and 1973 which committed them to a coalition government including the Lao Royal Family. As you may know, this government was overthrown in 1975, and now the country is under sole control of the Lao People's Democratic Party.

Since there has been so little focus on Laos, Mr. President, there has been little progress there. While the Lao government approved a Constitution in 1990 claiming human rights protection, and while Laos has signed international agreements on civil and political rights and is a member of ASEAN, the record shows these promises are being ignored.

Several months ago, the United Lao Movement for Democracy of Minnesota hosted a staff briefing. The briefing included a videotape which showed death, violence, and evidence that "yellow rain" has been used against Lao citizens recently—despite comments by the State Department these atrocities do not exist. We were told during the briefing that the "killing fields" are still going on in the countryside, mostly against the Hmong. The leaders of the Minnesota group, Shoua Cha, Xiong Pao Moua, and Cha Vang have been instrumental in calling these atrocities to our attention and maintaining valuable contact with the people of Laos. There were many cries on the tape that war hero General Vang Pao should return to Laos to help stop the violence.

Mr. President, the Thomas-Grams resolution expresses Senate opposition to human rights abuses in Laos, including religious persecution. It calls for free and fair elections and a process toward democracy.

I would like to call attention to one American, Steve Young, an expert and activist in Indochinese matters for over 30 years. Steve has helped us focus on problems in Laos, Cambodia, and Vietnam, and I have always valued his counsel. If Steve, and my many Hmong and Lao constituents, say there is a serious problem here, I believe them. Mr. President, I ask unanimous consent that an article by Steve Young printed in the May 14, 1998 edition of the Minneapolis Star Tribune be printed in the RECORD.

Mr. President, to those seeking changes in Laos, this resolution provides hope. I ask that my colleagues give it their support, as an expression by the Senate of our renewed interest in improving the situation in Laos. Please join me in co-sponsoring this resolution and facilitating its passage in the near future.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN PUTTING LAOS OUT OF SIGHT, AMERICA HAS
ABANDONED ITS HONOR

(By Steve Young)

Laos: on the losing side of history, one of only four remaining Communist states, a

genuine backwater in international affairs, a little country with no geopolitical importance, no raw materials, no seaport, no beautiful beaches, no ski resorts.

Why should I, or anyone else, care a whit about Laos?

The Lao people have no Dalai Lama to win friends and influence Hollywood; their ancient royal family is also in exile but commands no attention. Their holy relic, the Prabang Buddha statue, is rumored to be in Moscow, hidden away as a now-forgotten and irrelevant trophy of the Cold War.

Fifty thousand Hmong people from Laos now live in Minnesota, along with some 7,000 ethnic Lao. But is that any reason to care about the tiny, faraway homeland of a people who don't speak English?

Life in Laos is hard, especially for the Hmong, for the ethnic Khamu people and for the poor. The country's Communist leadership is awful. There are arbitrary arrests, no economic development, lousy schools, no free speech. Corruption is rampant.

The self-centered whims of Communist Party cadres are the law.

Opium is still a cash crop in Laos, feeding the world's supply of heroin. Communist officials, it is said, protect and profit from the vile traffic.

With help from the United States, many Lao and Hmong fought the Communists until 1973. Then, the United States walked away to "give peace a chance," as John Lennon demanded.

Today, years later, fighting still goes on. The Hmong in the hills are still loyal to the cause of the United States in the Cold War. They don't understand why the Americans went into a sulk and gave up fighting an evil political movement.

In December and January, and again in March, Communist Lao forces numbering several battalions attacked Hmong hamlets on the slopes of the Phu Bia mountain massif. Communist forces were repulsed. Their wounded filled the military hospital in the capital city of Vientiane.

In the far south of Laos, the Khamu people have turned against their former patrons—Lao and Vietnamese Communists. Young Khamu men have taken to the jungles to fight and put on their left arms the white elephant patch of the Lao royal family.

American officials in Vientiane make the best of a tour of duty in a place that counts for nothing except oppression. They argue for a form of appeasement, calling it "constructive engagement."

Poor little Laos: Back then, its needs were hidden behind the secrecy of an unpublicized war. The grim fighting, the terror for innocent villagers, the heroism of the Hmong, the illegalities of the Vietnamese Communists in invading a neutral country were out of sight and out of mind for the experts and gurus whose duty it is to tell our collective national psyche when, and how, and for whom to emote compassion.

Today, Laos is equally forgotten and still the victim of that past war. The bad guys won.

In putting Laos out of sight, America has abandoned its honor.

Promises were made to the peoples of Laos by the American government, among others. International agreements were signed in 1962 by all the great powers, pledging peace, neutrality, multiparty government. In 1973 the promises were renewed; yet again treaties were signed. International law protected the peoples of Laos, so it was said. Henry Kissinger got a Nobel Peace Prize for his efforts.

In 1975 the Communists broke their agreements, killed the king, queen, crown prince and many others—all to impose the justice of a really stupid ideology and, let us not forget, to gain a little *joie de vivre* for themselves.

A solution to the continuing troubles in Laos is at hand. The Communists need only return to the agreements they signed in 1962 and 1973, restoring coalition government, the monarchy and human freedoms. Such a Laos would be a buffer between Thailand and Vietnam, adding to the peaceful stability of Southeast Asia. Such a Laos would also protect Vietnam from penetration by China through the mountains around Dien Bien Phu.

To forget the promises made is willfully to choose dishonor.

We can mediate successfully in Northern Ireland, we send troops to watch over ethnic brutality in Bosnia, we mobilize to crack down on Saddam Hussein's inhumanities. Why can't we care as well about Laos?

SENATE RESOLUTION 241—RELATIVE TO THE DEATH OF THE HONORABLE BARRY GOLDWATER, FORMERLY A SENATOR FROM THE STATE OF ARIZONA

Mr. LOTT (for himself, Mr. DASCHLE, Mr. WARNER, and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Barry Goldwater, formerly a Senator from the State of Arizona.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate recesses today, it stand recessed as a further mark of respect to the memory of the deceased Senator.

AMENDMENTS SUBMITTED

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

MCCAIN (AND OTHERS) AMENDMENT NO. 2446

Mr. MCCAIN (for himself, Mr. KERRY, Mr. BOND, Mr. CAMPBELL, Mr. ROCKEFELLER, Mr. SPECTER, Mr. BINGAMAN, Mr. DASCHLE, Mr. WELLSTONE, Mr. LEAHY, Mr. COVERDELL, Ms. COLLINS, Mrs. MURRAY, Mr. BIDEN, Ms. MIKULSKI, Mr. HUTCHINSON, and Mr. SESSIONS) proposed an amendment to the bill (S. 1415) to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes; as follows:

On page 403, beginning with line 3, strike through line 19 on page 407, and insert the following:

SEC. 1301. VETERANS' ADMINISTRATION TOBACCO-RELATED HEALTHCARE AND COMPENSATION PROGRAMS.

(a) IN GENERAL.—The Secretary of the Veterans' Administration shall use amounts under subsection (b) to carry out tobacco-related healthcare activities under chapter 17 of title 38, United States Code, and to provide other appropriate assistance for to-

bacco-related veterans' health care illnesses and disability under such title.

(b) FUNDINGS.—From amounts in the trust fund established under section 40b not less than \$600,000,000 per year are to be used to carry out Veterans' Administration tobacco-related healthcare activities under subsection (a) to the extent and only in the amounts provided in advance in appropriations Acts, to remain available until expended.

(c) PUBLIC HEALTH SERVICE ACT AMENDMENTS.—Section 1981C of the Public Health Service Act (as added by section 261 of this Act) is amended—

(1) by inserting "veterans," after "uninsured individuals," in subsection (a)(1)(D); and

(2) by inserting "veterans," in subsection (b)(1)(h) after "low-income,".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, June 2, 1998, at 10 a.m. in open session, to consider the nominations of Dr. Hans Mark, to be Director of Defense Research and Engineering; Mahlon Apgar, IV, to be Assistant Secretary of the Army for Installations, Logistics and Environment; and Joseph W. Westphal, to be Assistant Secretary of the Army for Civil Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, June 2, 1998, at 10 a.m. on the nominations of Clyde Hart to be Administrator of the Maritime Administration, Neal Lane to be Director and Rosina Bierbaum to be Associate Director of the Office of Science and Technology Policy (OSTP).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled "e-commerce & Y2K: What's Ahead for Small Business." The hearing will begin at 10 a.m. on Tuesday, June 2, 1998, in room 428A Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, June 2, 1998, at 10 a.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Select